Discussion of Olbricht

Olbricht is directed to a web browser interface that is already loaded on a user's terminal for controlling a scanner (col. 2, lines 25-28). To scan a page, a user enters the IP address or the URL of the scanner into the web browser (col. 3, lines 25-28). This causes the browser to retrieve an HTML-format page from the scanner, which a set of configuration parameters and a preview of the image (col. 3, lines 28-30). The user then selects the desired parameters and clicks the "Scan" button, which causes the scanner to scan the image and generate a data stream representative of the scanned image in the form of a file (col. 3, lines 30-33). The file is returned to the user via the browser interface, and the user may view the image from within the browser and/or may save the file via the browser (col. 3, lines 33-36).

Claim 1

Claim 1 recites, *inter alia*, an act of, "in response to selection of the button, retrieving at least one picture that includes content previously associated with the electronic document." Olbricht fails to disclose or suggest this limitation.

The Office Action appears to assert that Olbricht discloses an electronic document with a button in the form of the HTML-format page, which includes a "Scan" button, which is retrieved by the web browser from the scanner, and that Olbricht discloses retrieving at least one picture that includes content previously associated with the electronic document because Olbricht discloses scanning an image and streaming it from the scanner to the web browser in response to a user selecting the "Scan" button.

While Applicant does not deny that Olbricht discloses scanning content to generate an image and streaming the image from the scanner to the web browser in response to a user selecting the "Scan" button, Applicant respectfully asserts that Olbricht does not disclose or suggest, "retrieving at least one picture that includes content **previously associated** with the electronic document," in response to selection of a button.

That is, claim 1 requires that the picture that is retrieved in response to selection of the button have been **previously associated** with the electronic document. By contrast, in Olbricht, the

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image that is streamed from the scanner to the web browser is a not an image that was previously associated with the web page. Indeed, this image is not even created until the user selects the "Scan" button and therefore cannot have been previously associated with the electronic document. Thus, in Olbricht, when a user selects the "Scan" button, a new image is streamed from the scanner to the web browser, not an image previously associated with the electronic document.

Thus, claim 1 patentably distinguishes over Olbricht. Accordingly, it is respectfully requested that the rejection of claim 1 be withdrawn.

Claims 14-16 depend from claim 1 and are patentable for at least the same reasons. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

Claims 49, 71, and 93

Each of independent claims 49, 71, and 93 includes a limitation that relates, in one way or another, to associating at least one image captured by an image capture application with a first location in an electronic document. Olbricht fails to disclose or suggest any such limitation.

The Office Action appears to assert that Olbricht discloses associating an image with a first location in an electronic document because, in Olbricht, when the user initiates a scan by the scanner, the scanned image is displayed in the web browser page that serves as the user interface to the scanner.

While Applicant does not deny that Olbricht discloses displaying a scanned image on a web page in a web browser, Olbricht does not disclose or suggest that an association between the scanned image and the web page is created. Rather, the image is temporarily displayed in the web page until the next image is scanned.

Thus, claims 49, 71, and 93 each patentably distinguishes over Olbricht. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

Claims 50-70 depend from claim 49, claims 72-92 depend from claim 71, and claims 94-114 depend from claim 93. Each of these dependent claims is patentable for at least the same reasons as the independent claim from which it depends. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

Claim 115

Claim 115 recites, *inter alia*, an act of, "in response to selection of the button, calling the data capture application so that the data capture application provides a live view from the data capture device on the display." Olbricht fails to disclose or suggest this limitation.

The Office Action appears to assert that Olbricht discloses calling a data capture application so that the data capture application provides a live view from a data capture device on a display asserting that, in Olbricht, when the user selects the "Preview option a live view is provided.

Applicant respectfully disagrees with this characterization of Olbricht. In Figure 2, Olbricht shows an example of a web page that serves as a user interface for a scanner. The web page includes a "Preview" button 48. Olbricht states, "[w]hen the object to be scanned is properly placed in the scanner, a "Scan" button 46 is clicked. The user may also select the "Preview" option, button 48 (col. 3, lines 49-51)." This is the only mention of the "Preview" button in Olbricht and, as should be clear from the portion of Olbricht quoted above, Olbricht is silent as to what happen when this button is selected. Olbricht certainly does not disclose or suggest that a live view from the a data capture device is provided when the "Preview" button is selected.

Thus, claims 115 patentably distinguishes over Olbricht. Accordingly, it is respectfully requested that the rejection of claim 115 be withdrawn.
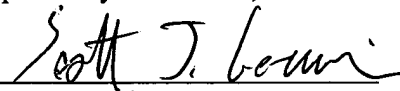
CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance and a Notice of Allowance is respectfully requested. If the Examiner believes that minor clarifying amendments to the claim would be helpful, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: January 2, 2008   Respectfully submitted,

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